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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) 2:20-cr-00191-AC
)
Plaintiff,) STIPULATION AND [PROPOSED]
) ORDER TO CONTINUE STATUS
v.) CONFERENCE AND EXCLUDE TIME
) UNDER THE SPEEDY TRIAL ACT;
ZMONTE L. HARRIS,) PROPOSED FINDINGS AND ORDER
)
)
Defendant.) DATE: December 3, 2020
) TIME: 2:00 p.m.
) JUDGE: Hon. Allison Claire
)

STIPULATION

The United States of America, by and through its counsel of record, and defendant, by and through its counsel of record, stipulate as follows:

1. By previous order, this matter was scheduled for a status conference on December 3, 2020 at 2:00 p.m.

2. By this stipulation, the parties now jointly move to continue the status conference until January 19, 2021 at 9:00 a.m., and to exclude time between December 3, 2020 and January 19, 2021, under Local Code T4.

1 3. The parties agree and stipulate, and request that the Court
2 find the following:

3 a) The government has represented that the discovery
4 associated with this case includes investigative reports and related
5 documents in electronic form. This discovery has been either
6 produced directly to counsel and/or made available for inspection and
7 copying.

8 b) Counsel for defendant desires additional time to consult
9 with her client, review the current charges, and to discuss potential
10 resolutions with her client.

11 c) Counsel for defendant believes that failure to grant the
12 above-requested continuance would deny them the reasonable time
13 necessary for effective preparation, taking into account the exercise
14 of due diligence.

15 d) The government does not object to the continuance.

16 e) Based on the above-stated findings, the ends of justice
17 served by continuing the case as requested outweigh the interest of
18 the public and the defendant in a trial within the original date
19 prescribed by the Speedy Trial Act.

20 f) For the purpose of computing time under the Speedy Trial
21 Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the
22 time period of December 3, 2020 to January 19, 2021, inclusive, is
23 deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv)
24 [Local Code T4](reasonable time to prepare) because it results from a
25 continuance granted by the Court at defendant's request on the basis
26 of the Court's finding that the ends of justice served by taking such
27 action outweigh the best interest of the public and the defendant in
28 a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

DATED: December 2, 2020

MCGREGOR W. SCOTT
United States Attorney

By: /s/ Alstyn Bennett
ALSTYN BENNETT
Special Assistant U.S. Attorney

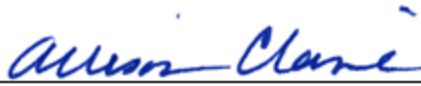
/s/ Linda Allison
LINDA ALLISON
Assistant Federal Defender
Counsel for Defendant
(Per 12/2/2020 email authorization from
Linda Allison)

[PROPOSED] FINDINGS AND ORDER

IT IS SO ORDERED, that the status conference is vacated as set forth above, and a status conference is set for January 19, 2021 at 9:00 a.m.

The Court has considered all of the factors listed above and specifically finds that the ends of justice outweigh the best interests of the public and the defendant in a speedy trial. The Court orders that time under the Speedy Trial Act shall be excluded from December 3, 2020, to January 19, 2021, under Local Code T4.

FOUND AND ORDERED this 3rd day of December, 2020.


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE